

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:	Atty. Docket No.: 004770.00787
Christian Kraft	
Serial No.: 09/921,127	Group Art Unit: 2617
Filed: August 3, 2001	Examiner: Peaches, Randy
For: A METHOD OF ENTERING CHARACTERS INTO A TEXT STRING AND A TEXT-EDITING TERMINAL USING THE METHOD	Confirmation No.: 6446

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Box AF

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicants respectfully request review of the final rejection in the above-identified application. No amendments are being filed with this request. This request is being filed with a Notice of Appeal. The review is requested for the reasons stated in the below remarks. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

Remarks

Having received and reviewed the final Office Action dated August 31, 2006, and the Advisory Action dated December 13, 2006, Applicants respectfully submit that the standing rejections are based on one or more clear errors, and that the appeal process can be avoided through a pre-appeal brief review as set forth in the Official Gazette notice of July 12, 2005.

The pending rejections fail to address all the claim limitations, and exhibit clear factual and legal errors with respect to the cited references. The specific errors relied upon in this Pre-Appeal Brief Request for Review include the following:

- The Office erred in its combination of King and Walker in rejecting claims 1 and 4-9 under 35 U.S.C. §103(a), as argued in the response filed November 20, 2006, at pp. 5-7. For example, neither the King references nor the Walker reference teach or suggest a key used for scrolling becoming dedicated for scrolling when a wireless telephone is in an editor mode. Notably, Walker lacks any use of the term “scroll.”

While Applicants believe the above points represent the clearest errors made by the Office, Applicants reserve the right to appeal on other bases and errors. In addition, Applicants believe the rejections of other claims not identified above are also based on one or more Office errors. Applicants will address such issues on appeal should the appeal of this case proceed after the Office's consideration of this paper.

CONCLUSION

All issues having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same. However, if for any reason the review panel believes the application is not in condition for allowance or there are any questions, the review panel is invited to contact the undersigned at (202) 824-3156.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated this 3rd day of January, 2007

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